

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Usuka *et al.* Confirmation No.: 3878  
Serial No.: 10/015,167 Art Unit: 1631  
Filed: December 11, 2001 Examiner: Eric S. DeJong  
For: SYSTEM AND METHOD Attorney Docket No: 9080-016-999  
FOR PREDICTING (800935-999015)  
CHROMOSOMAL REGIONS  
THAT CONTROL  
PHENOTYPIC TRAITS

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

*Do Not Enter 08/18/2007 EDS*  
**Mail Stop: AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed on February 1, 2007 in connection with the above-identified patent application, please enter the following amendments and consider the following remarks. Applicants submit concurrently herewith (i) a **Petition for Extension of Time** extending the period of response from May 1, 2007 to and including August 1, 2007; (ii) a **Notice of Appeal**; and (iii) an **Amendment Fee Transmittal**. An Interview Summary of the telephonic interview held on July 17, 2006 can be found in the Remarks below.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks** begin on page 16 of this paper.

EIJ  
08/18/2007

Interview Summary Okay

### REMARKS

This amendment is responsive to the February 1, 2007 Office Action. Claims 14, 15, 17, 20-22, 39, 40, 42, 45-47 and 58 are pending and under consideration.

#### **I. AMENDMENTS TO THE CLAIMS**

In the instant amendments, claims 14, 17, 20, 22, 39, 42, 45-47 and 58 have been amended to present rejected claims in better form for consideration on appeal.

Claims 14, 17, 20, 22, 39, 42, 45-47 and 58 have been amended, in pertinent part, to recite "identifying one or more genotypic data structures in said plurality of genotypic data structures that have correlation values that are higher than the correlation values for all other genotypic data structures in said plurality of genotypic data structures." Support for the amendments are found in the specification as originally filed, for example, page 5, lines 5-10; page 6, lines 15-17, as well as page 28, lines 8-11, which refers to processing step 216 of the exemplary processing steps illustrated in Figure 2.

Claims 14, 17, 20, 22, 39, 42, 45-47 and 58 have been amended, in pertinent part, to recite, in pertinent part, "communicating said one or more genotypic data structures to a user or practitioner, a display, a readily accessible computer memory or other computer on a network." Support for the amendment is found in the specification as originally filed, for example, by Figure 1 and accompanying description on page 10; line 22, to page 11, line 33, where, for instance, a user interface 24, display 28, storage unit 34, system memory 38, and a network interface card 36 for connecting to a communication network are provided. The operation of the subroutines are exemplified in connection with the description for Figure 2. An exemplary user interface is illustrated in Figures 7-10 as discussed in the specification from page 28, line 18, to page 30, line 6.

The amendments to the claims are fully supported by the specification, drawings and claims as original filed. No new matter is introduced with these amendments. As such, entry of the instant amendments to the claims is respectfully requested.

No claim amendment fee is believed to be due since the numbers of independent and total claims have not been changed in the instant amendments.

#### **II. INTERVIEW SUMMARY**

A telephonic interview was held on July 17, 2006, in which Examiner DeJong, representing the United States Patent and Trademark Office, and Gary Peltz, Guochun Liao,